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15                  Counterclaimant Skyryse, Inc.*

16                  **UNITED STATES DISTRICT COURT**  
17                  **CENTRAL DISTRICT OF CALIFORNIA**

18                  MOOG INC.,  
19                  Plaintiff,  
20                  v  
21                  SKYRYSE, INC., ROBERT ALIN  
22                  PILKINGTON, MISOOK KIM, and  
23                  DOES NOS. 1-50,  
24                  Defendants.

25                  SKYRYSE, INC.,  
26                  Counterclaimant,  
27                  v  
28                  MOOG INC.,  
29                  Counterclaim-Defendant.

CASE NO. 2:22-cv-09094-GW-MAR

**DEFENDANT-COUNTERCLAIMANT  
SKYRYSE, INC.'S APPLICATION  
FOR LEAVE TO LODGE UNDER  
SEAL CERTAIN PORTIONS OF  
JOINT STIPULATION RE:  
DEFENDANTS' MOTION TO  
ENFORCE ORDER COMPELLING  
TRADE SECRET IDENTIFICATION  
AND ACCOMPANYING  
DECLARATIONS AND EXHIBITS**

Hon. Margo A. Rocconi

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that, pursuant to Local Rule 79-5.2.2(b), Defendant  
 3 and Counterclaimant Skyryse, Inc. (“Skyryse”) hereby applies for an order  
 4 permitting the following documents filed in connection with the parties’ Joint  
 5 Stipulation Re: Defendants’ Motion to Enforce Order Compelling Trade Secret  
 6 Identification (“Joint Stipulation”) to be lodged under seal with the Court.

7 <b>Document</b>	8 <b>Designating Party</b>	9 <b>Text to be Filed/Lodged</b> 10 <b>under Seal</b>
11 Joint Stipulation Re: 12 Defendants’ Motion to 13 Enforce Order 14 Compelling Trade Secret 15 Identification	16 Moog	17 Highlighted portions in 18 the unredacted version at 19 pages: 20 14:24-25, 14:28-15:6, 21 15:9, 15:17-19, 16:21, 22 29:4, 29:22-25
23 Exhibits to Declaration 24 of K. Storey	25 Moog	26 Exhibits D and E in their 27 entirety
28 Exhibits to Declaration 29 of K. Naqvi	30 Moog	31 Exhibit 1 in its entirety

32 As the Filing Party, Skyryse has provisionally lodged under seal certain  
 33 portions of the Joint Stipulation and accompanying documents that Plaintiff and  
 34 Counterclaim-Defendant Moog, Inc. has designated as Protected Material under the  
 35 Protective Order entered in this action, dated May 6, 2022 (Dkt. 89), or that Moog  
 36 has otherwise requested to be sealed. Accordingly, pursuant to paragraph 12.1 of the  
 37 Protective Order, Skyryse seeks to provisionally lodge these materials under seal  
 38 until such time as Moog withdraws its confidentiality designations or the Court rules  
 39 on a forthcoming application from Moog to justify that these documents, or portions  
 40 of thereof, remain under seal. Skyryse reserves all rights under the Protective Order  
 41 to challenge Moog’s designations of the identified materials as Protected Material.

1        This application is further based upon the accompanying Declaration of  
 2 Rachel S. Horn in Support of this Application; any pleadings, files, and records in  
 3 this action; and any further evidence or argument as this Court may consider.

4        Between April 27, 2023 and May 8, 2023, counsel for Skyryse conferred via  
 5 email with counsel for Moog regarding the Joint Stipulation. On May 8, 2023,  
 6 counsel for Moog approved the Joint Stipulation and accompanying documents for  
 7 filing, but requested to redact certain portions of the Joint Stipulation from the public  
 8 docket and file them under seal. Counsel for Moog stated that Moog's proposed  
 9 redactions involved references to sensitive government programs and substantive  
 10 quotations from Moog's trade secret identification. Counsel for Skyryse followed up  
 11 via email and confirmed that the identified materials would be provisionally lodged  
 12 under seal under Local Rule 79-5.2.2(b) based on Moog's request, subject to Moog's  
 13 declaration establishing that all or part of the designated material is sealable.

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15 Dated: May 9, 2023

Respectfully submitted,

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LATHAM &amp; WATKINS LLP

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By: /s/ Gabriel S. Gross

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